



CITY OF LEESBURG

GROWTH MANAGEMENT PLAN
CAPITAL IMPROVEMENTS ELEMENT

Ordinance #xxxx

Exhibit A

Adopted xxxxxxxx

Prepared For:

City of Leesburg
Community Development Department
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LEESBURG, FLORIDA 34749

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CHAPTER XII
CAPITAL IMPROVEMENTS ELEMENT

A. INTRODUCTION

The purpose of the Capital Improvements Element is to evaluate the need for public facilities as identified in other Elements of this Growth Management Plan. In addition, the Capital Improvements Element will present an analysis of the fiscal capability of the City to fund needed public facilities, recommend financial policies to guide the funding of those identified improvements, and to schedule the funding and construction of improvements in a manner necessary to ensure that capital improvements are provided when required.

Needed capital improvements are those that are necessary to meet the adopted level of service standards identified in other Elements of this Plan, and those improvements that support the city's 10-Year Water Supply Facilities Work Plan. The City of Leesburg's public facilities that require identification and funding are as follows:

- Transportation- Improvements included in Lake-Sumter MPO's Transportation Improvement Program.
- Sanitary Sewer Element - Sanitary sewer treatment and effluent disposal facilities necessary to serve the existing and future population of the City. In addition, recommendations for capital improvements and policies to insure adequate sanitary sewer collection facilities.
- Solid Waste Element - Solid waste disposal facilities to service the City's existing and future population, coordination with Lake County to ensure those facilities are available when needed, and recommendations for adequate solid waste collection methods.
- Drainage Element - Drainage systems necessary to meet recommended level of service standards for stormwater quality and conveyance, and coordination with Lake County for improvements to systems in basins which serve the City but are outside its jurisdiction.
- Potable Water Element - Potable and reclaimed water supply and treatment facilities necessary to serve the existing and future population of the City for a 10-year planning period. In addition, recommendations for capital improvements and policies to insure adequate potable water delivery facilities for a 10-year planning period. All required water supply facility projects needed to serve existing and future population for a 10-year planning period shall be identified in the city-prepared 10-Year Water Supply Facilities Work Plan. The 10-Year Water Supply Facilities Work Plan shall be included as an attachment to the Potable Water Element, and be prepared with consideration of the St. John's River Water Management District regional water supply plans.

The City has adopted a 10-Year Capital Improvements Plan (CIP) for 2010-2020. Years 6 through 10 of the Plan are for planning purposes only for all elements, with the exception of the Potable Water Element, where a 10-year CIP is required.

B. INVENTORY OF NEEDS AND FUNDING SOURCES

The following section provides an inventory of the City of Leesburg's capital needs, as well as current funding sources. Planned improvements post 2015/2016 through 2035, which are identified as Cost Feasible in the Lake-Sumter MPO Transportation Plan 2035 are included for information. A summary of the Capital Improvements are found below in Table XII-1.

Table XII-1: Capital Improvement Needs FY2010/11 to 2015/16 & 2016/17 to 2035

| LOS affected | Description | Target Dates | Funding | Funding Source | Cost |
|-----------------------|---------------------------------------------------------------|--------------|---------|------------------------------------------------|-----------------------------------------------------|
| TRANSPORTATION | | | | | |
| | Road resurfacing | 2015 | Funded | Gas Tax | \$528,000 |
| FDOT | Widen lanes (4-6) US 441 Perkins St to SR 44 | 2015 | Funded | State & Federal Funds | \$12.4 In millions YOES\$ |
| FDOT | Upgrade intersection SR 44 / US 27 | 2035 | Funded | State & Federal Funds | \$0.7 In millions YOES\$ |
| FDOT | Leesburg/Wildwood Trail | 2012 | Funded | Federal Funds | \$2.16 In millions YOES\$ |
| Lake County | Widen lanes (2-4) CR 48 E of US 27 to CR 33 | 2025 | Funded | Local Funds | \$23.5 In millions YOES\$ |
| Lake County | Widen lanes (2-4) CR 470 Sumter County Line to CR 33 | 2030 | Funded | Local Funds (25%) Developer Funded (75%) | \$14.1 In millions YOES\$ (local funds) |
| Lake County | Corridor Study – US 27 Reliever | 2035 | Funded | Local Funds | \$7.1 In millions YOES\$ |
| AIRPORT | | | | | |
| | Terminal Building Construction | 2014 | Funded | State & Local Funds | \$1.7 In millions YOES\$ |
| | Airport Improvement Project | 2016 | Funded | State & Local Funds | \$2.8 In millions YOES\$ |
| | Update Airport Lighting Runway 13/31 | 2012 | Funded | State & Local Funds | \$525,000 |
| | Install Airfield Signage | 2012 | Funded | State & Local Funds | \$375,000 |
| STORMWATER | | | | | |
| | Drainage improvements | | Funded | Stormwater fees | \$50,000 |
| | Ponds | | Funded | Stormwater fees | \$125,000 |
| | Curbs, gutters, and inlets | | Funded | Stormwater fees | \$25,000 |
| | Enclose ditch lines | | Funded | Stormwater fees | \$450,000 |
| | Conveyance systems | | Funded | Stormwater fees | \$150,000 |

City Staff, Transportation 2035, Lake-Sumter MPO

1. PUBLIC FACILITY NEEDS

The applicable elements have identified various capital improvements necessary to meet the recommended level of service standards. An assessment of the required public facilities is presented below.

a. Public Education and Health Facilities

The Lake County Health Department, a state funded agency, has one of its four (4) facilities located within the Leesburg City Limits. This unit provides services for the northwestern portion on the County, including Leesburg. The Health Department facilities servicing the remaining portions of the County are located in Clermont, Tavares, and Umatilla.

The Leesburg Regional medical Center is the single largest provider of healthcare services in the immediate area, and the only public hospital located within the City of Leesburg. This non-profit center is comprised of two (2) main facilities, which provide services for Leesburg, the remaining portions of Lake County, and residents in adjacent Counties.

The City of Leesburg provides law enforcement, emergency medical, and fire and rescue response services to the citizens of the City of Leesburg and the surrounding areas as provided for within the interlocal agreements with the City of Fruitland Park and Lake County. Currently, the City of Leesburg maintains one police station, and three fire stations. The Leesburg police station is located at 115 East Magnolia Street. The Leesburg Regional Medical Center is located at 600 East Dixie Avenue. Leesburg Fire Station 1, which is the fire departments headquarters, is located at 201 South Canal Street. Leesburg Fire Station 2 is located at 2014 Griffin Road. Equipment and personnel from each of these departments will respond as needed to incidents anywhere within the City of Leesburg.

The City of Leesburg entered into an interlocal agreement for school facilities planning and siting with Lake County School Board, Lake County and the other municipalities in Lake County in December 2006. This agreement was amended and adopted as required by Sections 163.3177 and 163.3180(g), F.S. The Lake County School Board operates seven (7) public education facilities within the City limits or service area of the City of Leesburg.

b. Transportation

All major roadways within the City limits of Leesburg are under the jurisdiction of the State of Florida, Lake County, or the City of Leesburg. Using functional classifications established under Chapter 355, F.S., one (1) roadway has been identified as a freeway, three (3) as principal arterials, five (5) as minor arterials, eleven (11) as major collectors, and six (6) as minor collectors. These roadways, along with all other classified roads, are listed in the Transportation Element of this Growth Management Plan.

Capital projects have been identified in the Transportation Element to make improvements to various roadway segments and a schedule of the improvements

planned by the City is presented in Table 12-1. A general summary of existing and future transportation system deficiencies is as follows:

(1) Existing Transportation Deficiencies

The Lake-Sumter MPO Transportation 2035 Plan, which was adopted in December 2010, identifies a number of objectives and projects to provide a multi-modal transportation network in the Leesburg area. These include the identification of US 441, US 27 & SR 44 as multimodal corridors. Road improvements are planned to sections of US 441, CR 48 & CR 470.

(2) Future Transportation Deficiencies

Several State and County roadways will perform below the adopted level of service standards. The following roadway projects are scheduled to be performed by Florida Department of Transportation (FDOT) or Lake County.

c. Sanitary Sewer (Wastewater)

The Sanitary Sewer Element provides an assessment of facility needs throughout the planning horizon. Also included in the Sanitary Sewer Element is an analysis of existing demand surpluses and deficiencies of the City's sanitary sewer system. Presently, the City services numerous customers located outside the City limits within unincorporated Lake County.

The City of Leesburg currently owns, operates and maintains a central sanitary sewer system. The City's collection and treatment system provides services to both residential and non-residential users. The City has historically been able to provide adequate sanitary sewer service to meet not only the demand within the City's boundaries, but also within the surrounding unincorporated areas of Lake County and extending to Okahumpka and Royal Highlands.

The City's central sanitary sewer system is comprised of two (2) wastewater treatment plants (WWTP) - the Canal Street Plant and the Turnpike Plant. The Canal Street WWTP has a capacity of 3.5 million gallons per day (mgd) and the Turnpike WWTP has a capacity of 4.5 mgd. Additionally, the City's Turnpike WWTP was designed with the intent to provide reclaimed water service to reduce the amount of potable water utilized for irrigation purposes.

The adopted level of service for sanitary sewer treatment is 251 gallons per capita per day.

The City hired a consultant to prepare the Southwest Service Area (SWSA) Wastewater & Reclaimed Water Master Plan, dated April 2007. The report indicates

that due to the anticipated growth within a 20-year horizon in the SWSA which lies primarily south and southwest of Lake Harris and discharges to the Turnpike WWTP that the facility will need to be upgraded to increase the capacity to 7.0 MGD by 2025.

Since the maximum combined design capacity of both of the City's wastewater treatment plants is 8.0 MGD, the two plants will have sufficient capacity to meet the demands for the long term planning horizon.

Existing Sanitary Sewer Deficiencies

There are no existing deficiencies in the system.

(1) Future Sanitary Sewer Deficiencies

Anticipated growth in the Southwest Service Area (SWSA), which lies primarily south and southwest of Lake Harris and discharges to the Turnpike WWTP, may need to be upgraded to increase the capacity to 7.0 MGD by 2025.

(2) Upgrades and Maintenance of the Sanitary Sewer System

Maintenance of mains, meters, vehicles and power equipment, plants and storage, sanitary sewer services, and other equipment will occur on an as needed basis.

d. Solid Waste

The City of Leesburg provides solid waste collection service to all its residents and businesses within the City limits. The residential refuse is collected 2 times per week and recycling is collected once a week. The City's adopted level of service for residential solid waste disposal is once weekly collection of all residential garbage, yard grass, and recyclables. The level of service for bulk pickup is once a month.

The City meets this level of service. The City does not operate any active solid waste disposal facilities. Processing and disposal of solid waste occurs at the Lake County Resource Recovery Facility through an interlocal agreement with Lake County. This is a solid waste processing plant where certain types of waste are converted to energy through an incineration process. The facility has a design capacity of 165,000 tons per year. The majority of the City's waste stream is either recycled or is incinerated at this facility. Other disposal facilities available to the City include the Lake County Solid Waste Management Facility, the Ash Monifill Landfill, and the Construction and Demolition Landfill located in Wildwood.

(1) Existing Solid Waste Deficiencies

There are currently no deficiencies in the solid waste program.

(2) Future Solid Waste Deficiencies

- *The Lake County Resource Recovery Facility, Okahumpka, Florida* - It is projected to provide disposal services until the end of the planning period in 2020.
- *The Lake County Solid Waste Management Facility, Astatula, Florida* - Based upon projected waste disposal volumes, Lake County anticipates a remaining useful life of 30-years for this facility.
- *The Ash Monofill Landfill, Astatula, Florida* - As the ash is removed additional capacity within the ash monofill is produced. Thus, the capacity of the landfill should not diminish over time.
- *The Construction and Demolition Landfill, Wildwood, Florida* - It is projected to provide disposal services for approximately 15 more years.

(3) Upgrades and Maintenance of Solid Waste Program

Planned evaluations and refining of current programs will aid in promoting a more efficient solid waste collection service. Efforts to promote recycling and the education of the public on household hazardous waste, combined with convenient programs, such as the battery drop off at the library, also benefit the community and enhance the overall effectiveness of the solid waste program.

e. Drainage (Stormwater)

The City maintains a stormwater master plan that was developed as a result of a report prepared in 1996. The report included a preliminary analysis of the City's drainage facilities, ranked and identified the major drainage basins, and provided recommendations for program operations. The City has ten (10) major drainage basins – Bently, Carver Heights, Dyches Lake, Lake Hollywood, Montclair, Myrtle Lake, Sunnyside, Tally, Venetian Gardens, and Whispering Pines. Detailed drainage analyses have been completed for Carver Heights, Whispering Pines and Tally basins. Improvements have been made to the Carver Heights drainage basin and grant funding has been approved for the Whispering Pines basin.

The City has also implemented maintenance programs that include street sweeping to remove trash, tree organic materials and pollutant solids from roadways; swale maintenance program which keeps the swales from becoming filled in or blocked; drainage facilities maintenance for removal of sediments and organic material from inlet grates and catch basins; preservation of natural depressional areas and implementation of stormwater best management practices.

(1) Existing Drainage Deficiencies

Based on the Capital Improvement Program, existing deficiencies in the drainage system include the following.

- Basin study update

- Drainage improvements
- Ponds
- Curb, gutters, and inlets
- Enclosing ditch lines
- Conveyance systems

(2) Future Drainage Deficiencies

Grant funding has been approved for the Whispering Pines basin.

(3) Upgrades and Maintenance of the Drainage System:

The City has implemented maintenance programs that include street sweeping, swale maintenance, drainage facilities maintenance, preservation of natural depressional areas, and implementation of stormwater best management practices.

f. Potable Water

The City of Leesburg currently owns, operates, and maintains a central potable water treatment and distribution system. The City's potable water system provides water for both residential and non-residential purposes, including fire-fighting demands. The current geographic service area of the central water system includes all property within the City limits, as well as surrounding unincorporated areas of Lake County including Bassville Park, Okahumpka, Highland Lakes, Spanish Village, Silver Lakes, and Royal Highlands. The City does not have an interlocal agreement with the County for providing service; however, the City has been working closely with the County to establish and finalize a Joint Partnership Agreement (JPA) to define utility service boundaries.

The Potable Water Element states that the City has adequate treatment facilities and well capacity to service the anticipated population and commercial establishments through the 10-year planning horizon. In addition to the well capacity, the City has adequate storage capacity for its service area through the 10-year planning horizon.

(1) Existing Potable Water Deficiencies

There are currently no identified deficiencies.

(2) Future Potable Water Deficiencies

Leesburg's central system has adequate pumping and treatment capacity to continue serving all of the existing residential and non-residential units that are currently connected. Additionally, the City has capacity to service all of the existing developments currently serviced by Florida Water Service systems.

2. FUNDING SOURCES

The City of Leesburg has used numerous sources to fund capital projects in the past. Since adoption of the Growth Management Plan, the City has employed methods in addition to its standard annual budgeting procedures to allocate funds for specific purposes. An overview of various funding sources, which may be used for capital project funding, is presented below.

a. General Fund Revenue Sources

The General Fund is used to account for all general revenues and expenses of the City that cannot be properly accounted for in other funds. It receives a greater variety and number of taxes and other general revenues than other funds. Pursuant to the uniform classification of accounts prescribed by the state Comptroller's Office, governmental fund revenues are classified into one of the following categories:

(1) Taxes

Such taxes include Ad Valorem (property) tax, sales and Use tax, local option sales tax, local option gas tax, utility service tax, and tax on franchise fees.

Ad Valorem taxes are levied in proportion to the value of the property against which it is levied. This proportion is generally stated in terms of millage rate. In this sense, one mill represents \$1 of property tax levied per \$1,000 taxable value. Ad Valorem taxes may be used for operating costs and capital projects. Ad Valorem taxes are limited to 10 mills in the absence of a general obligation bond issue approved by a local referendum of provisions of municipal services administered with the County.

The 2010-2011 fiscal year millage rate remains unchanged at 4.3179 mills. In FY 2009-10, \$6,049,834 was collected in property tax.

The **Local Option Sales Tax** became effective in January 1988, following the approval of a levy by the Lake County voters in referendum. This tax applies an additional one-cent on purchases up to \$5,000 of tangible personal property. The levy is up for a 15-year period and proceeds are restricted to construction, reconstruction, or improvement of public facilities that have a life expectancy of five or more years. This also includes land acquisition, land improvements, and related design and engineering costs. No operating expenses can be funded by this revenue source.

The City collected \$1,526,403 in local option sales tax in FY 2009-10.

The **Local Option Gas Tax** represents a portion of the six cents that Lake County levies on gas purchases. The percentage is based on the City's population and can only be used to finance transportation related

improvements such as routine street and drainage maintenance, street lighting, and traffic signs, signals, and markings.

The City collected \$630,727 in local option gas tax in FY 2009-10.

The **Franchise Fees** category represents a percentage of which the City of Leesburg receives from the telephone and cable television companies. The franchise fee derived from the cable television company is based on gross subscriber revenues. This includes installation fees, disconnect and reconnect fees, and regular cable transmission. The City currently accounts for these sources in the General Revenue Fund. And uses proceeds toward meeting the operating expenses attributed to this fund.

The City collected \$109,857 in franchise fees in FY 2009-10.

Utility Service Taxes – The City collects a utility tax based on purchases of electricity, water, gas and propane. The primary utility services that are taxed are: electricity and water. Companies providing utility services to Leesburg are City of Leesburg Water & Wastewater Service. Available funds may be used to finance capital improvements or reduce debt obligations.

The City collected \$3,214,820 in utility service taxes in FY 2009-2010.

Communication Services Tax – A local rate of 5.22 % is levied by the City of Leesburg for communication services which include data, voice, audio, video, or any other information or signals, including cable services that are transmitted by any medium.

The City collected \$1,078,903 in communication services tax in FY 2009-2010.

(2) Licenses and Permits

This category derives its revenues from the issuance of local licenses and permits. All businesses operating in the City obtain occupational licenses. This revenue source includes building permits, which are required for all construction, as well as plumbing, electric, gas, and mobile home permits. These revenues are also used to finance operating expenses in the General Revenue Fund.

The City collected \$421,374 in licenses and permit fees in FY 2009-2010.

(3) Intergovernmental Revenue.

This group of accounts includes all revenues received from federal and state sources in the form of grants, shared revenues, and payments in lieu of tax. Major sources of shared revenue include the half-cent sales tax, cigarette tax, beverage licenses, mobile home licenses, and County licenses. All sources in this group are accounted for in the General Revenue Fund.

The City collected \$6,516,608 in Intergovernmental Revenue in FY 2009-2010

(4) Charges for Service.

This series of accounts reflects all revenues stemming from charges for current services, excluding internal service and fund revenues. Charges for services are classified as follows:

- General Government – Fees received for plan and zone review, sales of maps and publications, etc.
- Public Safety – False alarm fees, fire alarm maintenance, and police dispatch fees.
- Physical Environment – Contains revenue derived from electric, gas, water, wastewater, stormwater, and solid waste enterprise funds.
- Cultural and Recreational – Those revenues received from activities provided by the library and recreation system.

The City collected \$2,211,398 in charges and services in FY 2009-10.

(5) Fines and Forfeitures.

The group of accounts contained under this heading of fines and forfeits includes revenues received from fines and penalties imposed for the commission of statutory offenses, violation of lawful administrative rules and regulations, and for neglect of official duty. The City receives funding from court fines, library fines, parking ticket, code enforcement fines, tree ordinance fines, and through the sale of forfeited property.

The City collected \$144,991 in fines and forfeitures in FY 2009-10.

(6) Miscellaneous Revenues.

This group accounts for all revenues not recorded in previous classifications. Such sources of funding include interest on investments, rents, sales of surplus property, insurance proceeds for lost or destroyed property, street-paving assessments, refunds, contributions, reimbursements. The

predominant source in this category is investment earnings. Investments are made through the State Board of Administration, State of Florida banks, and federal securities in order to maximize return on City funds.

The City collected \$4,566,046 in miscellaneous revenues in FY 2009-10.

(7) Impact Fees

Impact Fees – these fees are charged in advance of new development and are designed to pay for infrastructure needs which directly result from new growth. These fees must be allocated to the specific group(s) which will directly benefit from the capital improvement, and the assessment levied must fairly reflect the true costs of these improvements.

The City collected \$12,295 in impact fees in FY 2009-1010.

b. Other Revenue Sources.

These sources include funding for the internal service funds and pension plans. Included here are transfers from the Community Development Block grant (CDBG) and from the Community Development Agency, from utility surcharges, and from fund balance appropriations. Other revenue sources that the City does not currently use, but could utilize in the future, include impact fees and federal and State grants and loans.

The City collected \$1,484,613 in other revenue sources in FY 2009-10.

c. Non-Revenues

Non-revenues represent amounts received by the City that are not additions or assets as a whole, although they may be an asset to the receiving fund. This category specifically refers to the annual contributions from various utility funds into the general Fund.

C. PUBLIC FACILITY ANALYSIS

The following section analyzes public facilities within the City of Leesburg.

1. Current Practices for Funding Capital Improvements

Revenues have generally been used to meet mandatory or essential operating expenses in the past, with only limited amounts of monies available to fund needed capital improvements. The City now utilizes improvements and projects identified in the Capital Improvement Plan (CIP) to help guide fund allocation that will ensure the adequate provision of public facilities and infrastructure.

The various elements of this plan discuss and analyze capital improvements necessary to correct existing deficiencies and provide facility expansion to meet projected growth. The methods of project prioritization of the identified capital improvements are explained below.

To provide a means to determine the relative priority of each capital project, the City uses the following criteria to prioritize projects:

- Whether the project is necessary to meet established levels of service.
- Whether the project increases the efficiency of existing facilities or infrastructure.
- Whether the project represents a logical extension of facilities within the urban service area.
- Whether the project is coordinated with major projects of other agencies, including the St. Johns River Water Management District.
- Whether the project implements the policies of the Growth Management Plan as they pertain to concurrency requirements.
- Whether the project eliminates a public hazard.
- Whether the project is financially feasible.
- Whether the project is coordinated with the City's 10-Year Water Supply Facilities Work Plan.

Based on the criteria noted above, capital projects identified in the various plan elements were rated and the estimated costs for each project were determined.

2. Timing and Location of Capital Projects

Capital projects planned through FY 2015/16 will occur in various locations throughout the City. The Elements of this Plan require the City departments to provide an assessment of the City's infrastructure annually at budget time so that improvements can be timed appropriately.

3. Financial Assessment

For purposes of assessing the City's financial capability to fund the capital projects identified in this Element, projected revenue sources and expenditures through FY 2015/16 and beyond have been identified.

Specific local practices to help provide a more detailed level of analysis that will guide the provision of funding for needed improvements for each public facility are described below.

a. Transportation

The timing of new roads and streets, intersection improvements, and the placing of traffic signalization have been driven by new development, availability of funds, and public input. The location of signaling devices has been determined by the Department of Transportation on arterial streets and on collector streets feeding into arterial streets. Placing of traffic signs and other internal controls in residential and

commercial areas has been determined by the local traffic control authority of the Leesburg Police Department and the City's Public Works Department.

Transportation projects, including improvements that will increase efficiency or enhance existing facilities are listed in Table 12-1. The Intergovernmental Coordination Element recommends coordination with the County, Lake-Sumter MPO and FDOT to ensure that adequate funding of projects is obtained when necessary. Funding for capital improvement projects is anticipated to come from a variety of sources.

b. Sanitary Sewer

The City's sanitary sewer facility capacity can meet projected demand through the planning period. Projects to maintain and enhance the provision of sanitary sewer services for future growth are likely to include upgrades and maintenance of mains, meters, vehicles and power equipment, plants and storage, sanitary sewer services, and other equipment. The major funding mechanism for sanitary sewer capital projects is the Wastewater Utility Fund.

c. Solid Waste

Solid waste refuse collected by the City of Leesburg is disposed of at facilities located outside of the Leesburg City limits.

Pursuant to Chapter 403, F.S., Lake County is responsible for providing adequate solid waste disposal capacity throughout the planning horizon. The goals, objectives, and policies of the Solid Waste Element address the need for the City to coordinate with Lake County to ensure the County provides adequate solid waste disposal capacity for City residents and commercial establishments.

d. Drainage

The City's Stormwater Management Utility Program was created to be in compliance with St. Johns River Water Management District guidelines and FDEP guidelines. The City's drainage and stormwater systems are operated under the Public Works Department and major funding for drainage projects comes from the Stormwater Utility Fund.

e. Potable Water

The City of Leesburg currently owns, operates, and maintains a central potable water treatment and distribution system. The City's central potable water system is comprised of four individual systems: the Leesburg East Treatment System; the City of Leesburg Treatment System; the Highlands Lake Treatment System; and the Royals Highlands Treatment System. All of these systems are interconnected with the exception of the Royal Highlands system which currently stands alone. Combined, these four systems are comprised of five (5) water treatment plants,

fifteen (17) public water wells, two (2) hydrostatic tanks, four (4) above ground storage tanks, and three (3) ground storage tanks. The distribution system consists of approximately 215 miles of water mains ranging from 2" to 24" in size. This distribution system provides water to a service area, which is divided into four sub-systems. The Potable Water Element states that the City has adequate treatment facilities and well capacity to service the anticipated population and commercial establishments through the planning horizon.

The major funding mechanism for potable water capital projects is the Water Utility Fund.

Projections pertaining to potable water are found in the City's 10-Year Water Supply Facilities Work Plan. Revenue projections from potable water collections are presented in the City's 10-Year Water Supply Facilities Work Plan as well. The City has sufficient funding sources to implement minimum required and planned water supply projects in this 10-year planning period.

4. Forecasting of Revenues and Expenditures

A major source of the City's general fund is derived from the City's Ad Valorem tax base. Ad Valorem revenue is generally used for general fund purposes. The City plans to maintain the current millage rate of 4.3179 throughout the planning period.

Other financial considerations for capital improvements are described below:

a. Debt Service Fund

1999

The Debt Service Fund is used to record debt service payments for general government (non-utility) debt. Debt service associated with the Refunding and Capital Improvement Refunding Promissory Note, Series 2009, is funded by a pledge of the local government half cent sales tax and the guaranteed portion of state revenue sharing. Debt service payments are recorded as expenditures in the debt service fund. Debt service requirements associated with the Refunding Promissory Note, Series 2009 as of March 31, 2010 are as follows:

Capital Improvement Refunding Promissory Note, Series 2009 (Series 1999 Bond Refunding). Original issue amount is \$5,227,400. Original issue date is December 4, 2004. Final Maturity is October 1, 2009. Interest rate is 4.73%.

2004

Debt service associated with the Capital Improvement Revenue Bonds, Series 2004, is funded by a pledge of sales tax, the guaranteed entitlement, the public service tax, and investment income. The lien on sales tax and guaranteed entitlement is subordinate to the series 2009 Refunding Promissory Note. Debt service payments are recorded as expenditures in the debt service fund. The 2004 bonds are fully registered bonds in denominations of \$5,000 each. Debt service requirements associated with the 2004 bonds as of September 30, 2009 are as follows:

Capital Improvement Revenue Bond Series, 2004. Original issue amount is \$17,110,000. Original issue date is July 21, 2004. Final Maturity is October 21, 2034. Interest rate is 2.5 – 5%.

D. CONCURRENCY MANAGEMENT

The intent of the Concurrency Management System (CMS) is to provide the necessary regulatory mechanism to evaluate development orders to ensure that the public facilities and services needed to support development are available concurrent with the impacts of such development. This section sets forth the criteria for assessment of development impacts and guidelines to ensure that the adopted level of service standards required for roads/traffic circulation, sanitary sewer, potable water, solid waste, stormwater drainage, and parks and recreation are maintained. This section of the Growth Management Plan shall serve as a detailed framework under which the CMS will be implemented.

The CMS is intended to serve the long-term interest of the citizens of Leesburg by implementing a managed growth perspective. The CMS consists of three primary components: 1) maintaining an inventory of the existing facilities for which concurrency is required, 2) the concurrency assessment process for development applications, and 3) providing advisory concurrency assessments and recommending conditions of approval for development applications. These components allow the City to accurately track the condition and capacity of existing facilities, to provide a method for reviewing and assessing the impacts of proposed developments and to allow for the scheduling of required improvements to correct existing or future facility deficiencies.

1. Concurrency Management System

a. Operational Responsibility

The City of Leesburg's Community Development Department is responsible for the implementation of the City's Concurrency Management System. The Director of the Community Development Department is ultimately responsible for the functioning of the concurrency management system. The Concurrency Manager ensures that the City's inventory of existing facilities, capacities and deficiencies is maintained and updated annually. The Environmental Services Department has the responsibility for the concurrency evaluation of drainage, water, reclaimed water, and wastewater facilities only.

Concurrency evaluation for all other facilities is the responsibility of the Community Development Department.

b. Applicability

Prior to the issuance of a development permit, a determination needs to be made as to the availability of public facilities and services concurrent with the impacts associated with the development permit. The permit process is a broad spectrum of approvals where the impacts of development range from the immediate to the distant future. Certain developments do not cause additional impacts on facilities, and, therefore, can be considered exempt from concurrency and the requirements to

undergo a concurrency assessment. The following is a list of concurrency exempt developments:

- Residential projects that would result in the creation of one (1) single family dwelling;
- Any addition to a single family dwelling;
- Commercial, institutional, or industrial expansion of up to ten (10) percent of the existing gross floor area, providing such expansion is estimated to generate less than one hundred (100) vehicle trips per day. The exemption shall be allowed for only one (1) expansion;
- Construction of accessory buildings and structures that do not create additional public facility demand;
- Any replacement of a structure or use by a similar structure or use where such replacement can be shown to have no net increase in the demand for infrastructure or public services;
- Any change of use that reduces demand for all infrastructure facilities, even if the infrastructure serving the former use or activity was over capacity; or
- Any public infrastructure facility.

Exemption from concurrency assessment does not exempt a development from the payment of impact fees or future concurrency assessment in the event that the development order is violated or amended.

c. Facilities Inventory

On or before June 1 of each year, the Community Development Department shall be responsible for presenting a report of the CMS to the City Commission. This report acts as a monitoring tool for roadways, potable water, reclaimed water, sanitary sewer, solid waste and stormwater drainage. The report delineates the existing allocated capacity, planned expansions, committed capacity, and available capacity for future development. In addition, the report outlines the impacts of any existing deficiencies on the approval of development orders. This report is made available to the public through the Community Development Department.

Additional demand for capacity will be incorporated into the facilities inventory as new development is approved. Needed capacity will be reserved, if available, for that new development to ensure that the development may proceed to occupancy. At the time of occupancy, the reserved capacity will be re-categorized as existing allocated capacity. Reserved capacity is valid for a two-year period from the date of development order (DO) approval. When the development order expires, the capacity reservation expires. If a project is abandoned, the reserved capacity will be re-categorized as existing capacity.

Simultaneous to the continuous monitoring of existing allocated and required capacity will be the monitoring of available capacity. As capacity is added to the

infrastructure system in terms of facility construction and/or improvements, the facilities inventory database will be modified to reflect the addition. Capacity analyses will be updated annually and made available to the public for all level of service standards.

2. Concurrency Review Process

Unless specifically exempt as stated above, all final development orders shall be subject to a concurrency review. A final development order means any permit that actually authorizes commencement of construction activity or any rezoning, variance, condition use, or change of use permit granted to a more intense development activity that does not require a later building permit, site plan or subdivision approval. The concurrency review shall provide an evaluation of a development orders impact on the City's adopted level of service standards as identified in the City of Leesburg's Code of Ordinances and the various policies of the Growth Management Plan Elements.

a. Application Requirements

Concurrency assessment for all projects shall begin with the submittal of a completed concurrency review application as provided by the City accompanied by the appropriate fee. The applicant has the option of applying for a concurrency review in the conceptual development stage, the preliminary plan stage, or during the final development order stage. During the conceptual and preliminary stages, the City will issue a non-binding letter of concurrency that is intended to advise the applicant of the available capacities of the public facilities at the time of application. A non-binding letter of concurrency does not assure that such capacities will be available at the time of the project's final development order application. During the final development order stage, the City will issue a certificate of concurrency if the project is found to be concurrent. The concurrency application requirements shall consist of the following information:

- (1) Traffic impact study for all new commercial or industrial development of 10,000 or more square feet of gross floor area, all residential development of 100 units or more, or other similar high traffic areas as deemed necessary by staff;
- (2) Description and estimate of potable and reclaimed water use needs;
- (3) Description and estimate of wastewater generation;
- (4) Description and estimate of solid waste generation;
- (5) Stormwater drainage calculations;
- (6) Other information required by the City to conduct a complete and accurate review.

b. Concurrency Assessment

Upon receipt of a complete concurrency application, the City shall perform an assessment of the project's impact on roadways, potable water, sanitary sewer, solid

waste and drainage. The City shall prepare a written set of findings with respect to the project's impact on these facilities that shall include, but are not limited to:

- (1) The ability of the existing facilities to accommodate the proposed development at the adopted level of service standards;
- (2) The anticipated public facility impacts of a proposed development;
- (3) Any existing facility deficiencies that will need to be corrected prior to the completion of the proposed development;
- (4) The facility(s) improvement or additions necessary to accommodate the impact of the proposed development at the adopted level of service standard and the entity(s) responsible for the design and installation of all required facility improvements or additions; and
- (5) The date such facility(s) improvement or additions will need to be completed to be concurrent with the impacts on such facility(s) created by the proposed development.

If a concurrency review application is deemed not to be concurrent, the applicant has five (5) options as listed below.

- Withdraw the application and wait for the required capacity to become available;
- Reduce the proposed density/intensity such that the project is found to be concurrent;
- Request that the Capital Improvements Element be amended to move forward the required improvements needed to provide the required capacity to service the project;
- Request that the Capital Improvements Element be amended to add improvement programs that will provide sufficient capacity to service the project; or
- Fund up to 100% of the needed improvements to service the project at the adopted level of service.

3. Concurrency Evaluation Criteria

All non-exempt preliminary and final development orders must comply with the minimum requirements for concurrency. To ensure that the public facilities and services necessary to support development are available concurrent with the impacts of the development, the following standards must be met:

- The necessary facilities and services must be in place at the time a development permit is issued, or the development permit will only be issued subject to the condition that the necessary facilities and services must be in place by a specific date when the impacts of the development are anticipated to occur; or

- The necessary facilities must be under construction at the time a development permit is issued; or
- The necessary facilities and services have been included in the capital improvements program and are programmed for construction prior to or concurrent with the impacts of the proposed development; or
- The necessary facilities and services are the subject of a binding executed contract for the construction of the facilities or the provisions of services at the time the development permit is issued; or
- The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, Florida Statutes, or an agreement of development order issued pursuant to Chapter 38, Florida Statutes, or any other development agreement entered into between the City and a developer. The agreement must guarantee that the necessary facilities and services will be in place prior to, or concurrent with, the impacts of development.

4. Concurrency Reservation

As stated previously, the applicant may choose to request a concurrency review during the conceptual or preliminary stages of the project. At such time, the City will issue a non-binding letter of concurrency. The intent of this letter is to provide the applicant with the available capacities for the public facilities under concurrency review. A non-binding letter of concurrency does not assure that such capacities will be available at the time of the project's final development order application. The non-binding letter is merely a tool to inform the developer of what capacities are available. It is the applicant's responsibility to submit an application for a certificate of concurrency prior to final development plan approval.

If the concurrency assessment made during the final development order stage reveals that the available capacities of the public facilities are sufficient to service the proposed project, the City may issue a certificate of concurrency. After a certificate of concurrency is issued, the City shall reserve the public facility capacity necessary for the proposed development. Capacity reservations shall be made on a first come first serve basis. Capacity shall be reserved for a period of two (2) years from the date of approval for development orders for subdivisions, developments of regional impact, and planned unit developments and for a period of one (1) year from the date of approval for all other development orders. Capacity reservations for concurrency shall expire if the underlying development order or development agreement expires or is revoked.

D. GOALS OBJECTIVES AND POLICIES

GOAL 1: Provide attainable fiscal means to ensure the timely and necessary installation and maintenance of public facilities needed to meet the demands of residents and business establishments within the city limits of Leesburg.

Objective 1.1: *Capital Improvement Schedule.* To ensure that the necessary facilities and infrastructure will be in place and water supply is sufficient to meet Levels of Service established within the Growth Management Plan, the City shall formally adopt the Capital Improvement Schedule.

Policy 1.1.1: Capital projects shall be defined as those projects identified within the Growth Management Plan that are necessary to meet established levels of service, increase the capacity or efficiency of existing infrastructure, replace failing infrastructure, or enhance facilities and infrastructure that generally have a cost exceeding \$10,000.

Policy 1.1.2: Capital projects for the following facilities and infrastructure shall be included and funded as part of the City's Capital Improvement Schedule:

- Transportation
- Stormwater Management (Drainage)
- Sanitary Sewer
- Solid Waste
- Potable and Reclaimed Water

Policy 1.1.3: Capital projects shall be prioritized according to the following criteria:

- Whether the project is necessary to meet established levels of service.
- Whether the project increases the efficiency of existing facilities or infrastructure.
- Whether the project represents a logical extension of facilities within the urban service area.
- Whether the project is coordinated with major projects of other agencies, including the St. Johns River Water Management District.
- Whether the project implements the policies of the Growth Management Plan as they pertain to concurrency requirements.
- Whether the project eliminates a public hazard.

- Whether the project is financially feasible.
- Whether the project is coordinated with the City's 10-Year Water Supply Facilities Work Plan.

Objective 1.2: *Level of Service (LOS).* The City shall utilize level of service criteria defined in the various Elements of this Plan when determining the timing and funding of capital facilities.

Policy 1.2.1: Adopted level of service standards for facilities and infrastructure shall be as follows:

- a. The following minimum LOS standards for Transportation facilities are as follows:
 - Limited Access Roads LOS C, or as otherwise prescribed by FDOT
 - Arterials LOS D
 - Collectors LOS D
- b. The level of service for Sewer is 251 gallons per day per capita.
- c. The level of service for solid waste collection shall be as follows:
 - Residential LOS: Once weekly collection of all residential garbage, yard grass, and recyclables. Once a month bulk pickup or as requested.
 - Commercial LOS: One to six times per week dumpster service, three times per week hand collection, once per week cardboard recycling, and bulk pickup on request.
- d. The City's Level of Service for potable water supply shall be 150 gallons per person per day.
- f. The City herein adopts minimum level of service (LOS) standards for reclaimed transmission systems and treatment that conform to all applicable state and county environmental health standards and regulations.

Policy 1.2.2: In coordination with other City departments, the Community Development Department shall evaluate land use amendments to determine the compatibility of those amendments with the adopted level of service standards and to ensure adequate funding is available when improvements are necessary pursuant to such land use amendments.

Policy 1.2.3: Capital projects shall use the following thresholds to target initiation and budgeting of construction and/or purchase of capital facilities to meet

projected future needs based on adopted level of service (LOS) standards:

- Roadways - Volumes are at 90 % of adopted LOS capacity.
- Sewer – 75 % of available capacity is being utilized.
- Water – 75 % of available capacity is being utilized.

Objective 1.3: ***Funding Sources.*** The City shall pursue adequate funding for the construction of capital projects identified in the Capital Improvement Schedule.

Policy 1.3.1: The following procedures shall be utilized to ensure adequate funding for transportation capital projects:

- 100% of State revenue sharing motor fuels tax funds shall be reserved specifically for traffic related maintenance and capital improvement projects.
- 100% of net proceeds, after payment of existing bond obligations, of the Lake County Local Option Gasoline Tax shall be reserved specifically for traffic related maintenance and capital improvement projects.
- 100% of the total proceeds from the Lake County Local Option Sales Tax shall be reserved for traffic related capital projects.

Policy 1.3.2: The following procedures shall be utilized to pursue adequate funding for stormwater management (drainage) capital projects:

- 100% of the total proceeds from the Stormwater Utility Fund shall be reserved for stormwater management operating needs and capital projects.
- Cash restricted due to bond and grant covenants will be budgeted in accordance with the terms of the covenants.

Policy 1.3.3: The following procedures shall be utilized to pursue adequate funding for sanitary sewer capital projects:

- 100% of the total proceeds from the Sanitary Sewer Utility Fund shall be reserved for sanitary sewer management operating needs and capital projects.
- Cash restricted due to bond and grant covenants will be budgeted in accordance with the terms of the covenants.

Policy 1.3.4: The following procedures shall be utilized to pursue adequate funding for potable water and reclaimed water capital projects:

- A portion of funds collected from the Utility Enterprise Fund shall be reserved to complete potable water capital projects.
- Cash restricted due to bond and grant covenants will be budgeted in accordance with the terms of the covenants.

Policy 1.3.5: The following procedures shall be utilized to pursue adequate funding for parks and recreation capital projects:

- Grants shall be pursued and used for the completion of parks and recreation capital projects.
- The Land Development Regulations shall contain provisions for all new developments to provide parks and recreation lands and/or facilities and/or fees-in-lieu-of as specified in the Recreation and Open Space Element.

Objective 1.4: *Capital Improvement Evaluation.* All City capital projects shall be evaluated to determine if they meet the prioritization criteria and consistency with adopted level of service standards, city-adopted 10-Year Water Supply Facilities Work Plans, and/or public need.

Policy 1.4.1: Requests for capital projects shall be evaluated for their consistency with adopted level of service standards by utilizing the following criteria:

- All major capital project requests shall be submitted for comprehensive plan review by the Local Planning Agency by March 31st of each year in order to be included in the following fiscal year capital budget.
- The Community Development Department shall prepare an annual report evaluating the timing, location, and service area for each proposed capital project and whether the project is consistent with the Leesburg Growth Management Plan.

Policy 1.4.2: The City shall continue to maintain an inventory of any existing hazards within the City by using the hazards analysis and hazards mitigation criteria established by the Lake County Emergency Management Department and shall also identify any grant sources available to mitigate the hazards listed on the hazard inventory.

Policy 1.4.3: Requests for capital projects shall be evaluated for their impact on the City budget and the financial feasibility of the project based on the following criteria:

- The Finance Department shall determine if the capital project can be funded from existing cash, future revenues, or through borrowing. In addition, the Finance Department shall assign a revenue source(s) to fund the project.

- The Finance Department shall prepare a report evaluating the funding options, effect of the improvement on future revenues, and the effect of the improvement on operation and maintenance costs.

- Policy 1.4.4:** All capital projects shall be reviewed as to their compatibility and timing in relation to capital projects being implemented or planned by Lake County, the Florida Department of Transportation, the St. Johns River Water Management District, the Lake County School Board, the Florida Department of Environmental Protection, and/or any other government agency. The City should use reasonable methods to track capital projects of any agency, which may be in conflict or may enhance the City's capital projects.
- Policy 1.4.5:** The city will identify all additional potable water supply sources, infrastructure and facilities (and associated projects/costs) needed to meet water supply demands for a 10-year planning period in the city-prepared 10-Year Water Supply Facilities Work Plan.
- Policy 1.4.6:** The additional potable water supply sources, infrastructure and facilities and associated projects identified in the 10-Year Water Supply Facilities Work Plan will be developed in coordination with local governments and prepared in accordance with the St. Johns River Water Management District regional water supply plans.
- Policy 1.4.7:** The city will ensure that all facilities identified as being needed in the first five years of 10-year Water Supply Facilities Work Plan planning period be adopted as a revision to the city's 5-Year Capital Improvements Plan.
- Policy 1.4.8:** The city will ensure that the selection of water supply projects in the 10-Year Water Supply Facilities Work Plan are evaluated based on: imparting a minimal impact to spring and wetland flows/levels; feasibility of cost and operability; and the availability of the water supply resource considering allocations provided to other neighboring utilities and/or governments.
- Policy 1.4.9:** On an ongoing basis, review pre-existing plans and performance data identified in the 10-Year Water Supply Facilities Work Plan and actual conditions identified in the field relating to the existing water system to identify deficiencies, priorities, and improvement costs.
- Policy 1.4.10:** Each year, continue implementation of the annual renewal and replacement program for system improvements to address water utility system pressure problems and other deficiencies identified in the field or as planned in the City's 10-Year Water Supply Facilities Work Plan.

Objective 1.5: *Debt Management.* The City shall adopt policies and procedures that address the management and utilization of debt for the purposes of capital project financing, and the City will use line of credit borrowing or bond anticipation notes for specific construction projects and issue revenue pledged debt at construction completion only if current funds do not provide adequate funding to pay for construction.

Policy 1.5.1: The use of revenue bonds as a debt instrument shall be evaluated based on the following criteria:

- A five (5) year projection of revenues from all funds shall be prepared and updated annually as a part of the City's budget process, and an analysis of historic and future trends in the revenue stream will be a part of the projection process.
- Revenue bonds shall be allowed to fund up to one hundred percent (100%) of the City's total debt. Debt will not be issued to finance normal repairs and maintenance. Debt can be issued to make renovations, updates, modernizations, and rehabilitations provided the expenditures extend the useful life of the capital asset.
- The maximum ratio of total debt service (principal and interest) to total revenue shall be that percentage deemed most beneficial to the City as determined by the City's Financial Advisors and its Bond Counsel base upon criteria set by the rating agencies and credit enhancement organizations.
- The impact of principal and interest revenue bond payments on the operation and maintenance of the affected utility and/or department will not require deferring current maintenance of existing infrastructure.
- The impact of bond covenants and restrictions on the City's method of accounting for depreciation, and the impact of any reserve account restrictions on the operation and maintenance of the affected utility and/or department.
- Cash restricted due to bond and grant covenants will be budgeted in accordance with the terms of the covenants.
- On an annual basis, the City will restrict the amount of cash equivalent to twenty-five percent (25%) of depreciation as reported on the prior year's annual financial statement in enterprise operations to ensure adequate repair and/or replacement of capital facilities.
- Capitalized repairs of existing infrastructure will be paid from funds restricted by debt covenants and current revenues. Debt will not be issued to finance capitalized repairs.

Policy 1.5.2: The use of tax revenues as a pledge for the repayment of debt shall be evaluated based on the following criteria:

- A five (5) year projection of revenues from all taxes shall be prepared and updated annually as a part of the City's budget process, and an analysis of historic and future trends in the tax revenue stream will be a part of the projection process.
- At the time of issuance of new debt, a review shall be conducted to ensure that the maximum amount of general government debt shall not exceed fifteen percent (15%) of the City's property tax base assessed valuation reported yearly by the Lake County Property Appraiser's office.

Policy 1.5.3: The City may use long term capital lease payments on lease purchases for capital projects identified within this Element, provided adequate debt service requirements are provided.

Objective 1.6: ***Repair and Replacement.*** All City departments shall prioritize capital projects to provide for the repair and/or replacement of identified facilities.

Policy 1.6.1: As part of the annual budget process, all City departments shall identify and prioritize capital facilities in need of refurbishment or replacement and submit those facilities for funding.

Policy 1.6.2: As part of the annual budget process, the Environmental Services Department shall include and prioritize capital water supply facilities that are listed in the 10-Year Water Facilities Work Plan as in need of refurbishment or replacement and submit those projects for funding support.

Objective 1.7: ***New Development.*** The City shall ensure that new developments share a proportionate share of the costs required to maintain adopted level of service standards, through the assessment of impact fees or developer contributions, dedications, or construction of capital facilities necessary to serve new development as required in other Elements of this Plan.

Policy 1.7.1: All development order applications shall be evaluated as to the impact of the development on capital facilities and the operation and maintenance of those facilities. The evaluation shall include, but not be limited to, the following:

- Expected capital costs, including the installation of new facilities required that are related to the development.
- Expected operation and maintenance costs associated with the new facilities required by the development.
- Anticipated revenues the development will contribute, including impact fees, user fees, and future taxes.

- Policy 1.7.2:** When applicable, the City shall utilize developer's agreements to ensure the timely and appropriate installation of needed capital facilities to service new development. Such agreements will be executed under the City's constitutional home rule power and following the procedures set forth in Chapter 163.3220, Florida Statutes.
- Policy 1.7.3:** To ensure adequate capacity allocations for all developments, the City may require any development to use developer's agreements and/or develop in more than one phase.
- Policy 1.7.4:** City shall continue to use impact fees for transportation and police and fire to ensure new developments contribute their proportionate share of capital project funding necessary to service new development.
- Policy 1.7.5:** New developments shall be responsible for installing all internal water and sewer systems, traffic circulation systems, and internal recreation/open space facilities within their development. In addition, connections of internal systems to the City's designated major water, reclaimed water, sewer trunk systems, and traffic circulation network shall be the financial responsibility of the developer.

Objective 1.8: ***Concurrency Management.*** The City shall continue to operate a Concurrency Management System for the review of all proposed developments within Leesburg for their impact upon Leesburg's municipal services. The concurrency evaluation system shall measure the potential impact of any proposal for a development permit or order upon the established minimum acceptable levels of service for sanitary sewer, solid waste, drainage, potable water, parks and recreation, and transportation facilities, unless the development permit or order is exempt from the review requirements of this section. No development permit or order that contains a specific plan of development, including densities and intensities of development, shall be issued unless adequate public facilities are available to serve the proposed development as determined by the concurrency evaluation set forth in this section.

- Policy 1.8.1:** ***Evaluation.*** All final development orders or development permits are required to be assessed for concurrency. Prior to the issuance of a final development order or development permit, the developer/applicant must obtain a Concurrency Certificate. Any applicant for a development permit must provide all information deemed necessary by the City to adequately assess the impacts of the proposed development.
- Policy 1.8.2:** ***Traffic Study.*** A traffic study is required demonstrating the impacts to the City's roadway network for any new development, in accordance with the requirements of Lake-Sumter MPO's TIS Methodology Guidelines.
- Policy 1.8.3:** ***Final Development Orders.*** For purposes of this Section, final development orders and development permits are considered to be: Any

building permit, zoning permit, subdivision approval, rezoning certification, special exception, variance, or any other official action of the City having the effect of permitting the development of land. Any order granting, denying, or granting with conditions, an application for a development permit. The Community Development Department shall make concurrency inventory information available to the public through the generation of reports containing the following information:

- The current capacity of each measured public facility
- The available capacity of deficiencies of each measured public facility
- Improvements to any public facilities that will be made by the City or by a developer pursuant to a development order and the impact of such improvements on existing public facility capacities or deficiencies.

Policy 1.8.4: **Application Procedure.** The Development Review Committee shall make determinations regarding concurrency applications and issue certificates according the procedures established in this section. An application for a Concurrency Certificate shall be filed with all applications for a final development order or permit, unless otherwise exempted. A preliminary review application may also be submitted for an informal and non-binding concurrency review by the Development Review Committee. All applications shall be made on a form prescribed by the City that should require at a minimum, and as applicable,;

- Date of submittal.
- Name, address, and telephone number of applicant and property owner.
- Parcel I.D. number, street address, and legal description.
- Proposed land use(s) by land category, square feet, and number of units.
- Phasing information by proposed uses, square feet, and number of units.
- Existing use of property, acreage of property, name of DRI, PUD, or Subdivisions.
- Site design information.
- Previously issued concurrency certificates.

- Possible limitations in the manner in which the proposed use will be conducted, including restrictions on use, resident population, density and intensity of use.
- Possible limitations on the height, size, location, density or intensity of a building or other structure.
- Possible phasing schedule.
- Possible alternative with respect to size, number, location, or nature of vehicle access points.
- Possible increase in the amount of street dedication, roadway width, or construction of roadway improvements within street right-of-way.
- Plans for the protection of existing trees, vegetation, water resources, wildlife habitat and other significant natural resources.
- Any information regarding possible solutions or alternatives that would permit the proposed development in conformity with the requirements and intent of this section and the City's Growth Management Policies.
- Data and analysis relevant to the concurrency facilities and services evaluated under this section, were upon the Development Review Committee can conduct and make an informed concurrency determination.

An application that is not technically complete shall be returned to the applicant with a correspondence detailing the deficiencies in the application. Failure to submit the required information in accordance with this section shall result in the denial of the concurrency application. Applications deemed complete by the City shall be handled on a first-come-first-served basis. Once an application is complete, any change in uses, densities, or intensities for the subject property that result in an increased capacity requirement for any concurrency facility shall be subject to a new concurrency review. An application fee may be established by the City Commission by resolution.

Policy 1.8.5: Concurrency Exemptions and Change of Use. Certain developments cause no added impacts on facilities, and therefore can be considered exempt from concurrency and the requirement to undergo a concurrency evaluation. Any change, redevelopment, or modification of use shall require a concurrency evaluation, provided the proposed change, redevelopment, or modification of use has more than a de minimis impact on public facilities and services than the previous use that was actively maintained on the site during the six (6) month period prior to the date of application for concurrency evaluation. Concurrency credit

shall be given for the previous use that was actively maintained on the site during the six (6) month period prior to the date of application for concurrency evaluation. If the proposed change, redevelopment, or modification of use has a lesser impact on public facilities and services than the previous use during the six (6) month period prior to the date of application for concurrency evaluation, then no concurrency evaluation shall be required.

If no use existed on the site for the six (6) month period prior to the date of application, no concurrency credit shall be issued and the proposed use shall be subject to concurrency evaluation.

Policy 1.8.6: Demolitions. In case of a demolition of an existing use or structure, the concurrency evaluation for the redevelopment shall be based upon the net increase of the impact for the new or proposed land use as compared to the most recent land use existing prior to demolition, provided that such credit is utilized within six (6) months of the date of issuance of the demolition permit. Such credits are non-transferable.

Policy 1.8.7: Concurrency Certificate. A Concurrency Certificate is a “snap shot” of available capacity for each public facility, evaluated under this section, at the time the certificate is issued. The Concurrency Certificate does not guarantee capacity in the future or encumber or vest capacity for any period of time. At a minimum, the concurrency Certificate shall contain:

- Name, address, and telephone number of the applicant or property owner.
- Parcel I.D. number and legal description.
- Date of issuance.
- Proposed use(s) by land use category, square feet, and number of units.
- Phasing information by proposed uses, square feet, and number of units, if applicable.
- Total current available capacity within the service area(s).
- Project impact based on LOS standards.

A Concurrency Certificate shall expire one (1) year after issuance unless the applicant commences construction of the development under a validly issued building permit. A one (1) year extension may be granted by the Development Review Committee provided circumstances have not adversely diminished the capacity of public facilities and services to support the development, in which case, the development shall be subject to a new concurrency evaluation.

Policy 1.8.8: Procedures for Concurrency Evaluation. No application shall be deemed sufficient unless it contains all information that in the professional judgment of the Development Review Committee is reasonably necessary to evaluate the impacts of the proposed development for public facilities and services subject to review. During the review process, the Development Review Committee shall either approve, deny, or approve with conditions, the application for a concurrency certificate.

Policy 1.8.9: Concurrency Determination. All concurrency determinations for specific public facilities and services shall follow the procedures outlined below.

Traffic: The Code of Ordinances will provide specific criteria to determine when and how individual traffic studies are required to determine concurrency and maintain the adopted LOS.

Sanitary Sewer: The Code of Ordinances shall contain standards that determine concurrency for residential and non-residential uses based on the adopted LOS.

Solid Waste: The Code of Ordinances shall contain standards that determine concurrency for residential and non-residential uses based on the adopted LOS. All solid waste facilities that are under the jurisdiction of another local government or government agency may be required to be assessed through the concurrency management system adopted by that government or agency. However, the City shall conduct a concurrency test for solid waste regardless of who has administrative or legal responsibility for solid waste facilities.

Potable and Reclaimed Water: The Code of Ordinances shall contain standards that determine concurrency for residential and non-residential uses based on the adopted LOS, and applicable state and county environmental health standards and regulations, including those required by Rule 62-610, F.A.C.

Policy 1.8.10: Facilities Inventory and Reporting. The Community Development Department shall maintain an inventory of the available capacity within the roads, potable water, sanitary sewer and solid waste. Each year, on or before June 1, the Community Development Department shall prepare a report for the City Commission containing the current capacity within each public facility category, including any encumbrances or deficiencies. This annual report shall also identify any public facilities that will require improvements to maintain adopted levels of service and recommend a schedule of improvements to avoid any reduction in the approval of development orders.